

AMENDMENT(S) TO THE CLAIMS

1. (currently amended) A biopsy apparatus, comprising:

~~Coaxial~~ a coaxial cannula that can be used configured for insertion in tissue with the aid of a mandrel, the coaxial cannula having a proximal end and an interior wall;

~~in which for removing tissue are~~ a biopsy needle unit configured for insertion into the coaxial cannula after the mandrel is removed from the coaxial cannula, the biopsy needle unit having an exterior wall, an interior with specimen removal space, and a longitudinally movable specimen separating device that coaxially encloses the biopsy needle on the exterior wall; and

~~whereby the coaxial cannula has on its proximal end~~ a sealing element positioned on the proximal end of the coaxial cannula, the sealing element being configured to enclose that encloses the an intermediate space between the interior wall of the coaxial cannula and the exterior wall of the specimen separating device, characterized in that biopsy needle unit, wherein the sealing element releases the is configured to provide an the air outlet of the intermediate space when the biopsy needle unit is inserted into the coaxial cannula and prevents is configured to prevent air from entering the intermediate space after the needle unit has been positioned and a vacuum has been created in the biopsy needle interior space of the biopsy needle.

2. (currently amended) ~~Coaxial cannula in accordance with claim 1, characterized in that a hose type sealing element is~~ The biopsy apparatus of claim 1, wherein the sealing element is an elastic member defining a sealing lip and having an interior diameter, the sealing element being pushed over the proximal end of the coaxial cannula tube, the interior diameter of which is being dimensioned so that it leaves to leave open a slight gap between the sealing lip of the sealing element and the biopsy needle unit, and in that the elasticity of the sealing element is such that, given slight an underpressure in the gap intermediate space between the exterior wall of the biopsy needle unit or the specimen separating device and the interior wall of the coaxial cannula, the proximal end sealing lip of the sealing element at the gap comes to act as into contact with the biopsy needle unit to form a seal against the biopsy needle unit or the specimen separating device.

3. (currently amended) ~~Coaxial cannula in accordance with claim 1 or 2, characterized in that when employing a biopsy device with~~ The biopsy apparatus of claim 1, further comprising:

the coaxial cannula having a cap with a proximal end and a proximal surface, and having a counterpiece on a proximal end of the cap; and

a guide roller having a distal surface, and provided on the distal surface of the guide roller is a stopper provided on the distal surface of the guide roller, the stopper being provided with sealing members, with sealing elements, which the stopper [[is]] being inserted into [[a]] the counterpiece on the proximal end of the cap of the coaxial cannula such that the opening intermediate space is closed shortly prior to placing the distal surface of the guide roller on the proximal surface of the cap of the coaxial cannula.

4. (currently amended) ~~Coaxial cannula in accordance with claim 1, characterized in that, when using~~ The biopsy apparatus of claim 1, further comprising:

the coaxial cannula having a cap with a proximal end and a proximal surface, and having a counterpiece on a proximal end of the cap;

a guide roller having a distal surface, and a first stopper provided on the distal surface of the guide roller, the first stopper being provided with sealing members; and

an intermediate piece having a proximal side and a distal side, the intermediate piece being positioned between the distal end face surface of [[a]] the guide roller with stopper and the proximal end face surface of the cap with counterpart, the intermediate piece has on its having on the proximal side a countercoupling part as a type of with an interior bore into which the sealing members of the first stopper of the guide roller with sealing elements is inserted and in that on the distal side the intermediate piece has a second stopper with at least one second sealing elements member, which the second stopper [[is]] being inserted into the proximal side counterpiece of the cap of the coaxial cannula.

5. (withdrawn) A cannula, comprising:

an outer tube having proximal and distal ends and a lumen extending therethrough;

an inner tube disposed within the outer tube to define a space between an inner surface of the outer tube and an outer surface of the inner tube; and

a sealing element at the proximal end of the outer tube, the sealing element extending proximally from the proximal end of the outer tube to form a seal where an edge of the sealing element contacts the inner tube, the sealing element being flexible so as to open at least a portion of the seal to permit a proximally-directed flow of a fluid in the space.

6. (withdrawn) The cannula of claim 5, the sealing element disposed within a cap on the proximal end of the outer tube.

7. (withdrawn) The cannula of claim 6, a guide roller disposed with in the cap on the proximal end of the outer tube.

8. (withdrawn) A method of venting a cannula, comprising:

forming a seal with a sealing element extending from a proximal end of an outer tube so that an edge of the sealing element is flexibly pressing against an outer surface of an inner tube slidably disposed within a lumen of the outer tube to form the seal, the seal resisting a distal movement of a fluid into a space defined by an inner surface of the outer tube and the outer surface of the inner tube; and

moving the edge at least in part away from the outer surface of the inner tube to break the seal and allow the passage of a proximally-moving fluid from the space.

9. (withdrawn) The method of claim 8, sliding the inner tube relative to the outer tube while moving the edge to break the seal.

10. (new) The biopsy apparatus of claim 1, wherein the longitudinally movable specimen separating device is a cutting sleeve having the exterior wall.

11. (new) A biopsy apparatus, comprising:
- a coaxial cannula for use in tissue, the coaxial cannula having an interior wall;
 - a biopsy needle unit configured for insertion into the coaxial cannula, the biopsy needle unit having an exterior wall, and when inserted into the coaxial cannula an intermediate space is formed between the interior wall of the coaxial cannula and the exterior wall of the biopsy needle unit; and
 - an elastic member defining a sealing lip, the sealing lip having a single edge, the sealing element being mounted to the coaxial cannula, with a gap being formed between the single edge of the sealing lip and the biopsy needle unit, and wherein the elasticity of the sealing lip is such that, given an underpressure in the intermediate space between the exterior wall of the biopsy needle unit and the interior wall of the coaxial cannula, the single edge of the sealing lip comes into contact with the biopsy needle unit to form a seal against the biopsy needle unit.